



Application No. 10/820,047
Attorney Docket No. 09065.0012
Request for Reconsideration After Final - October 13, 2006

REMARKS

Applicants submit this Request for Reconsideration After Final in reply to the final Office Action mailed June 13, 2006.

Claims 8-25 are currently pending in this application. Claims 8, 11, 14, 17, 20, and 23 are independent claims.

On pages 2-3 of the final Office Action, claims 8-25 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,235,004 to Steenfeldt-Jensen et al. ("D1"). Applicants respectfully traverse this rejection.

D1 does not disclose or suggest the claimed invention. For example, each of independent claims 8, 11, 14, 17, 20, and 23 recite, among other aspects, "an epicyclic gearbox." D1 does not disclose at least this aspect of each respective claim.

Pages 2-3 of the final Office Action assert that bushing 82 of D1 corresponds to the epicyclic gearbox of the claimed invention. Applicants continue to disagree that bushing 82 corresponds to an epicyclic gearbox. As set forth on page 5, lines 11-18 of the specification:

[t]he term "epicyclic gearbox" according to instant invention shall mean a system of gears, comprising of a central sun gear ("sun gear") and one or more planetary gear[s], and a ring gear. Generally, in such an epicyclic gearbox, the planetary gear(s) travel(s) around the sun gear, whose axis is fixed. Additionally, the axis of the ring gear in such an epicyclic gearbox is identical to the fixed axis of the sun gear. The "ring gear" according to instant invention may optionally encompass a circular arrangement of splines or the like.

Bushing 82 of D1 does not disclose any of these aspects of an epicyclic gearbox. Moreover, Applicants assert that one of ordinary skill in the art would understand that a bushing is not an epicyclic gearbox. As evidence, Applicants submit a copy of a

webpage from the website of Princeton University that shows that the epicyclic gearbox was devised in 1781 and includes a sun gear, planet gears, and a ring gear.

Page 3 of the final Office Action further asserts that “[t]he bushing 82 clearly meets these limitations and also performs the same function as the epicyclic gearbox of the instant application.” Whether or not bushing 82 may allegedly perform the same function as an epicyclic gearbox, which Applicants vigorously dispute, each of independent claims 8, 11, 14, 17, 20, and 23 explicitly recites an epicyclic gearbox, and thus, in order to anticipate any of these claims, a reference must explicitly disclose an epicyclic gearbox, and not an aspect that allegedly is functionally equivalent to an epicyclic gearbox.

Accordingly, at least because D1 does not disclose the aforementioned aspects of the claimed invention, Applicants respectfully request withdrawal of the Section 102(b) rejection.

Claims 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 24, and 25 depend from one of independent claims 8, 11, 14, 17, 20, and 23, and are therefore allowable for at least the same reasons that each respective independent claim is allowable. In addition, at least some of the dependent claims recite unique combinations that are neither taught nor suggested by the cited references, and therefore at least some are also separately patentable.

Applicants respectfully request that this Request for Reconsideration After Final under 37 C.F.R. § 1.116 be considered by the Examiner, placing claims 8-25 in condition for allowance. This Request for Reconsideration After Final does not raise new issues or necessitate the undertaking of any additional search of the art by the

Examiner, as no amendments have been made. Therefore, this Request for Reconsideration After Final should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final Office Action and the Advisory Action presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entry and consideration of the Request for Reconsideration After Final would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

In view of the foregoing remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry and consideration of this Request for Reconsideration After Final, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

The final Office Action contains other characterizations and assertions regarding the claims and the cited art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the final Office Action.

In discussing the specification and claims in this Request for Reconsideration After Final, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

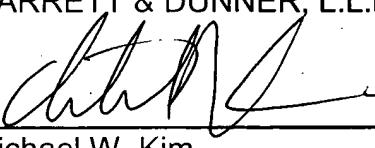
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If there is any fee due in connection with the filing of this Request for Reconsideration After Final that are not otherwise accounted for, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

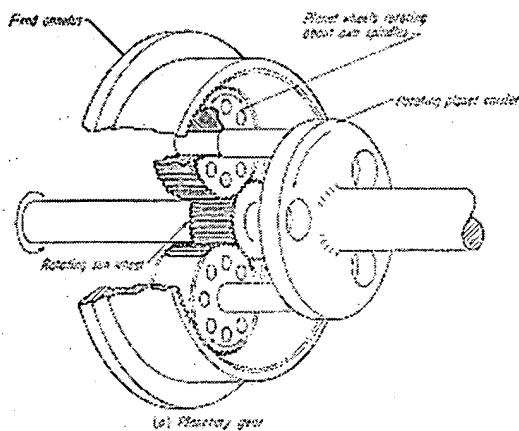
Dated: October 13, 2006

By: 

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Reg. No. 51,880

Attachment: A copy of a webpage from the website of Princeton University.

The Epicyclic gearbox was devised in 1781 (as a sun and planet gear) by James Watt for use in conjunction with his steam engines. The concept was adopted in 1902 by Sturmey and Archer for a multi-speed rear bicycle hub. The initial design was for two speeds, but was rapidly developed to give a three speed gearbox. Presently, hubs with up to five gears are manufactured.



From: Dudley, "Gear Handbook,"
McGraw Hill (1962)

The diagram shows the essential features of an epicyclic gearbox. At the center is a 'Sun' gear which meshes with the three 'Planet' gears that run on spindles on the planet carrier. These gears in turn mesh with teeth of the outer 'Ring.' If all of the gear carriers are locked together, the input and output shafts of the box rotate at the same rate. The overall gear ratio would then be expressed as 1:1. Fixing the planet gear carrier and allowing independent rotation of the sun and ring gears gives them a relative rotation rate determined by their tooth counts, N_s and N_r . This overall gear ratio is (N_r / N_s) .

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